

ADOPT THE FOLLOWING REGULATIONS

TITLE 27. ENVIRONMENTAL PROTECTION

DIVISION: 1. GENERAL FUNCTIONS AND RESPONSIBILITIES

SUBDIVISION 0.5

CHAPTER 3 ENVIRONMENTAL JUSTICE SMALL GRANTS PROGRAM

ARTICLE 1. PROCEDURES AND CRITERIA FOR ENVIRONMENTAL JUSTICE SMALL GRANTS PROGRAM

Changes to the original text are shown in the following manner: deletions from the language originally proposed are shown in strikeout and additions to the language originally proposed are double-underlined.

§ 10050. **PURPOSE AND SCOPE OF ARTICLE**

The purpose of this grant program is to provide financial assistance to eligible non-profit community groups ~~that are located in areas adversely affected by environmental pollution and hazards~~ such as community-based grassroots organizations, ~~non-profit organizations~~ and federally recognized tribal governments, that are working on or plan to carry out projects to address environmental justice issues. in areas adversely affected by environmental pollution and hazards.

(a) The regulations in this Article provide the following as required by Section 71116 of the Public Resources Code:

- (1) Describe procedures for applying for the Environmental Justice Small Grant Program.
- (2) Describe criteria for determining which applications ~~will~~ shall be funded.
- (3) Describe the administrative and fiscal requirements governing the receipt and expenditure of Environmental Justice Small Grant funds.

Authority: Section 71116, Public Resources Code

Reference: Section 71116-(b), Public Resources Code

§ 10051. **DEFINITIONS**

For the purposes of this article, the following definitions shall apply:

(a) The definitions contained in Section 71116-(c)(2) and ~~Section 71116-(j) of the Public Resource Code~~ Government Code section 65040.12 are incorporated herein by reference.

(b) “Cal/EPA” means California Environmental Protection Agency.

(c) “Secretary” means the Agency Secretary for the California Environmental Protection Agency or his or her designee(s).

Authority: Section 71116, Public Resources Code

Reference: Section 71116(c)(2), 71116(j), Public Resources Code

§ 10052. **GRANT AWARD**

(a) The maximum amount of a grant provided pursuant to this section is twenty thousand dollars (\$20,000).

Authority ~~cited~~: Section 71116, Public Resources Code

Reference: Section 71116(i), Public Resources Code

§ 10053. **RESTRICTIONS ON ENVIRONMENTAL JUSTICE SMALL GRANTS**

(a) The restrictions contained in section 71116(d)-(g), ~~71116(e) and 71116(g)~~ of the Public Resources Code are incorporated herein by reference.

(b) Grant recipients shall use the grant award to fund only the project described in the recipient's application. Recipients shall not use the grant funding to shift moneys from existing or proposed projects to activities for which grant funding is prohibited or as described in section 10053(a) above.

Authority ~~cited~~: Section 71116, Public Resources Code

Reference: Section 71116(d)-(g), ~~71116(e), 71116(g)~~, Public Resources Code

§ 10054. **GRANT APPLICATION PROCEDURES**

(a) In order to receive ~~money grant funds~~ for activities set forth under Section 71116 of the Public Resources Code, applicants ~~must~~ shall complete an application process in accordance with the following requirements:

(1) Applicants ~~must~~ shall submit an application and a narrative/work plan:

A. The narrative/work plan ~~should~~ shall describe the applicant's proposed project.

B. The narrative/work plan ~~will~~ shall be used as the primary basis for fund allocation. Work plans ~~must~~ shall be submitted to the Secretary in accordance with ~~any~~ timelines established by the Secretary.

C. The narrative/work plan ~~must~~ shall contain the following information:

1. Identify the environmental justice issue(s) to be addressed by the project.
2. Identify the environmental justice community/target audience, ~~(populations)~~.
3. Identify the program goal that the project ~~will~~ shall meet and how it ~~will~~ shall meet it.
4. Provide an ~~succinct~~ explanation of how the project may serve as a model in other settings.
5. Provide an ~~concise~~ introduction that states the nature of the applicant's organization.
6. Identify how long the organization has been in existence.

7. Describe how the organization has been successful in the past.
8. Provide project completion plans/time frames, and expected results.
9. Provide a ~~concise~~ project description that describes how the applicant is community-based and/or plans to involve the target audience in the project.
10. Provide a conclusion discussing how the applicant shall evaluate and measure the success of the project, including the anticipated benefits and challenges in implementing the project.
11. Include an appendix with resumes of up to three key personnel who ~~will~~ shall be significantly involved in the project, including the project lead.
12. If the proposed project includes the significant involvement of other community organizations, applicants must include letter(s) of commitment from these organizations. ~~Include letter(s) of commitment from organizations with significant involvement in the project.~~
13. Provide documentation to support the organization's non-profit status or proof of federal recognition of tribal status.
14. Provide budget figures/projections to justify the requested award amount.

D. The application shall contain the following required information:

1. The organization's name, physical mailing address and post office box, telephone numbers, e-mail and web page address.
2. The application must be signed by a person duly authorized by the applicant's organization and provide the authorized person's telephone and fax numbers, and e-mail address.
3. The name of the person with day-to-day responsibility for the project (if different from authorized representative) and that person's telephone and fax numbers, and e-mail address.

Authority: Section 71116, Public Resources Code

Reference: Section 71116(a)(1), Public Resources Code

§ 10055. ELIGIBILITY, PROCESS FOR AWARDING GRANTS, AND CRITERIA

(a) The Secretary shall announce the availability of Environmental Justice grants on the Cal/EPA website and post a deadline of 90 days for the receipt of grant applications. Grant applications must be returned on or before the close of the 90-day application period specified in the notice. The Secretary ~~will~~ shall review, evaluate, and select grant recipients. Applications ~~will~~ shall be screened to ensure that the application and the projects described therein comply with all of the requirements set forth in Sections 10053-10055 in this Article, including, but not limited to, restrictions, procedures, work plan requirements and criteria, and comply with the requirements set forth in ~~they meet all criteria and work plan requirements described in Sections 10053, 10055 in this article and meet the eligibility requirements established pursuant to Section 71116 of the Public Resources Code.~~ Applications ~~will~~ shall be disqualified if ~~all eligibility standards any requirements~~ are not met.

(b) If the application package is complete it ~~will~~ shall be reviewed and evaluated by the Secretary based on the criteria outlined below:

(1) **Threshold Criteria.** Applications that propose projects that are inconsistent with Cal/EPA's statutory authority for this grant program or the goals for the program are ineligible for funding and shall not be evaluated. The Secretary shall notify in writing by mail those applicants whose projects are ineligible for funding.

(2) **Evaluation Criteria.** Proposals shall be evaluated using the following criteria:

- a. Responsiveness of the work plan to environmental justice issues.
- b. Effectiveness of the project design.
- c. Clarity of the measures of success.
- d. Qualifications of project staff.

(c) The Secretary may consider only one application per applicant for a given project. Applicants may submit more than one application if the applications are for separate and distinct projects ~~or activities~~. Applicants that previously received grant funds may submit an application for future grants.

(d) ~~Preference may be given to organizations~~ The Secretary may give preference to organizations that have not received previous grants under the Cal/EPA Environmental Justice Small Grants Program.

(e) Every application shall be evaluated based on the merit of the proposed project in comparison to other applications. Past performance may be considered during the evaluation process for those applicants who have received previous grants under the Cal/EPA Environmental Justice Small Grants Program.

(f) The Secretary shall compare ~~the best all~~ applications eligible for funding and make final selections after the individual projects are reviewed and evaluated. Additional factors that the Secretary may take into account in the selection process include geographic and socioeconomic balance; cost, and projects whose benefits can be sustained after the grant is completed.

(g) After all applications are received, the Secretary ~~will~~ shall mail acknowledgments to all applicants. Once applications have been approved for funding, the Secretary ~~will~~ shall notify the finalist(s) and request ~~any~~ additional information in existing law necessary to complete the award process such as tax identification numbers. The Secretary ~~will~~ shall notify in writing by mail those applicants whose projects are not selected for funding.

(h) The decisions of the Secretary concerning grant funding are final and not subject to appeal.

(i) State law requires all grantees to certify and assure that they shall comply with all applicable state laws, regulations, and requirements before receiving funds.

Authority: Section 71116, Public Resources Code

Reference: Section 71116(a)(1), Section 71116-(f)(1)(2)(3)(4)(5)(6), Public Resources Code

§ 10056. **PROJECT PERIOD AND FINAL REPORTS**

- (a) Grant funded projects ~~should~~ shall be completed and funds spent within the time frame specified in the grant award.
- (b) The recipient organization is responsible for the successful completion of the project.
- (c) Unless specified in the award, all recipients must submit quarterly reports to the Secretary within 30 days of the end of the quarter. ~~for approval within ninety (90) days of the end of the project period.~~
- (d) All grant recipients shall submit final reports to the Secretary for approval within ninety (90) days of the end of the project period. Each final report shall include, at a minimum: (1) summary of the expenditures of the grant funds; and (2) the results of the project including a description of the benefits achieved by the project as compared to the measures of success that the applicant included in its application.
- (~~d~~e) The Secretary ~~will~~ shall collect, review, and disseminate grantee's final reports to serve as model programs.
- (=~~f~~) The Secretary may require an audit or financial accounting from a grant recipient at any time.
- (~~f~~g) Any funds not used during the project period ~~will~~ shall be forfeited.

Authority: Section 71116, Public Resources Code

Reference: Section 71116-(a)(2), Public Resources Code